

America, and that is why this nomination is so important.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. KING. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination, Calendar No. 475; that the Senate vote on the nomination; the motion to reconsider be considered made and laid upon the table; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the Record; and that the President be immediately notified of the Senate's action and the Senate then resume legislative session, all with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination.

The legislative clerk read the nomination of Corey Hinderstein, of Virginia, to be Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Hinderstein nomination?

The nomination was confirmed.

LEGISLATIVE SESSION

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2022—Continued

The PRESIDING OFFICER. The Senate will now resume legislative session. Mr. KING. Thank you, Mr. President. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LUJÁN). Without objection, it is so ordered.

BUILD BACK BETTER

Mr. CORNYN. Mr. President, our Democratic colleagues in the House and, to some extent, here in the Senate have talked about how the so-called Build Back Better legislation is popular, but I think the main reason it is popular is because, frankly, many Members of Congress and certainly the public at large don't know what is in it. So I would like to spend just a few minutes talking about that.

First of all, there is the size of the bill. Originally, the Budget Committee chairman, the Senator from Vermont, floated a \$6 trillion spending bonanza.

This, of course, was on top of about \$5 trillion we spent last year in a bipartisan fashion dealing with the COVID-19 pandemic. But, of course, this \$6 trillion more was designed to be passed with a pure party-line vote through the reconciliation process.

After some pushback, the \$6 trillion figure that Chairman SANDERS proposed was cut back to 3.5, and now our colleagues in the House and elsewhere are touting a new pared-down bill which spends only—and I underline the word “only”—\$1.75 trillion. I dare say that is a number that none of us can fully comprehend given its magnitude, but it has become—sort of rolls off our tongues like everybody understands what a trillion dollars is like everybody knows what a million is or a thousand or a hundred or ten dollars. But it is an enormous number.

As our colleagues have slimmed and trimmed this bill to reach a pricetag that could get consensus in the House, some of their favorite provisions have fallen off the chopping block. They realize that programs like free college actually cost a whole lot of money. So to live within this new number, which I will talk about in a moment, Democrats in the House kept cutting and cutting, but they found—instead of real cuts, they found another solution to their problem of a topline. What they have basically done is to create the illusion of a lower pricetag without making any real, substantive, long-term cuts. How do you do that? Well, it is the old-fashioned way; it is called budget gimmicks.

Rather than remove these expensive programs entirely, they chose to create a number of arbitrary cliffs, sunsets, and expirations. That way, they could pretend to pass these bills at a lower cost with the tacit promise to continue them at another time and on another day.

One example of this was the expanded child tax credit. Our Democratic colleagues originally crafted this as a temporary measure in their partisan bill that became law in March, just 8 months ago. The first payments had barely gone out the door when they decided to call for making those temporary provisions permanent in the BBB, the so-called Build Back Better bill. Our colleagues knew that a permanent extension and expansion would have been far too expensive to meet their topline, so they pretended to cut it by making it a temporary extension.

Earlier drafts of this bill would have extended this policy through 2025. As time went on, the pricetag was still too high, so it was scaled back to a 1-year extension. But the truth is, nothing has really changed. Calls to make the expansion permanent have not gone away. I have seen no indication that our colleagues across the aisle are content to let this extension expire after just 1 year.

The same is true of the earned income tax credit, which also was expanded in March. A number of our col-

leagues have spoken here on the Senate floor about the need to make this expansion of the earned income tax credit permanent.

But the not-so-temporary extensions don't end there. This bill extends the Affordable Care Act's premium tax credits through 2025, which our colleagues claim will enable more Americans to afford healthcare coverage. But at the same time, this bill cuts funding to safety net hospitals and States that did not expand Medicaid. If their goal was to expand access to low-income individuals under the Medicaid Program, their bill cuts that funding to safety net hospitals in States like mine that did not expand Medicaid. These cuts specifically target hospitals that treat underinsured and uninsured patients.

In short, our colleagues are manipulating the budget process in a way that appears to extend access to healthcare while at the same time cuts funding to our most vulnerable patients—all in the cause of pushing America closer to a single-payer system, something like Medicare for All. I have no doubt that our colleagues across the aisle will, if possible, not let these temporary provisions expire.

In the immortal words of Ronald Reagan, though, “The closest thing to eternal life on earth is a [temporary] government program.”

We have seen this movie before, time and again. It is smoke and mirrors. It is budget gimmickry. It is starting new programs and claiming to cut them off after a year, knowing that, inevitably, Congress will be tempted to extend them much, much longer.

Well, before this bill comes to a vote in the Senate, I hope our Democratic colleagues will agree with me that we need to know precisely how much this bill will cost the American people. We know that our colleagues across the aisle have struggled to try to make a \$6 trillion bill appear to be a \$3.5 trillion and now a \$1.75 trillion bill, but I don't think anybody is really fooled or confused. Because they have strategically chosen start dates, sunsets, and expiration dates to make it appear that these programs cost less, we know that eventually, if they have the votes, they will be extended through eternity.

Our colleagues gamed the Tax Code to partially fund the bill while handing out massive tax breaks to millionaires and billionaires. I am glad to see the chairman of the Budget Committee say that we really shouldn't be focused on tax cuts to millionaires and billionaires in blue States and cities like New York or San Francisco, which is exactly what the Democratic bill tries to provide—tax cuts to millionaires and billionaires in blue States.

This bill is really chock-full of inconsistencies. It claims to extend access to healthcare while cutting off access to Medicaid or some of the safety net programs in States like mine. It claims that, well, we are going to tax the rich folks while at the same time providing

tax cuts to millionaires and billionaires in blue States by lifting or eliminating the SALT deduction—the State and local tax deduction—which allows taxpayers, these millionaires and billionaires in blue States, to deduct their State and local taxes, which means not only do they get a tax cut, but the rest of us end up subsidizing them because, in order to get the revenue needed, that means regular working folks are going to have to pick up the gap.

The best evidence of this maneuvering is the fact that there is not a single year over the next decade in which each tax provision would be used at the same time. Let me say that again. Of all of the gaming in the Tax Code, the fact is, under the proposal by the House of Representatives—that we at some point will consider here—the fact is there is not a single year over the next decade in which each of these tax provisions would be used at the same time. This is nothing but gimmicks and sleight of hand accounting.

In my previous life, I was the Attorney General of Texas. We had something called the Consumer Protection Division. If anybody in the private sector would falsely advertise, like the Federal Government and Congress are trying to do in this so-called Build Back Better bill, we would go after them with a vengeance for defrauding consumers. Unfortunately, that doesn't apply to Congress. I wish it did.

We often talk, at least intermittently, about needing to know what is in a bill before we actually vote on it. At one time or another, Senators on both sides of the aisle have griped about voting on thousand-page bills that were completed just hours before the vote. Knowing the true cost of this legislation is no different. Before voting on it, we have the duty to understand how it will impact our debt and deficits and how big of a bill the American people will be stuck with.

There is also this ugly animal rearing its head called inflation. Seventy percent of the public said—I think in a recent public opinion poll I have seen—that inflation is eating away more and more of their income and is actually reducing their standard of living. It is a silent tax on working families. I would think that, if we are concerned about the welfare of those families, we ought to be very concerned about making inflation worse by pouring more and more money into our economy, chasing fewer and fewer goods and services.

That is part of the problem now. There is so much money sloshing around as a result of the spending by Congress—much of it associated with COVID-19, but not all of it. Some of it is with the American Recovery Act that was passed with the \$1.9 trillion in the early days of the Biden administration. But the truth is inflation is eating our lunch, and we should not be making it worse by spending a lot more money, as our Democratic colleagues are proposing we do in the Build Back Better bill.

So we need a cost estimate by the Congressional Budget Office, the official scorer of these spending bills, because we know that what we have seen so far is full of gimmicks, tricks, phony cliffs, phony expiration dates, as I have said, and is, basically, a misleading of the public and Congress into knowing what exactly is in this bill and how much it will cost.

Well, the cost estimate provided by the CBO, we know, given these phony assumptions, is not an accurate statement of the true cost of the bill. This isn't a reflection of the folks who work at the CBO but of the scoring rules they must follow. So, despite the fact that our Democratic colleagues have explicitly said that temporary programs will be extended at the first opportunity beyond the terms laid out in the bill, the Congressional Budget Office has to play along and act like that is true, but we know it is not true.

Fortunately, there are groups on the outside that have conducted their own analysis. Assuming all of these phony cliffs and expiration dates and the 1-year creation of programs that will later be extended, they don't have to buy this sort of smoke-and-mirrors approach to the budget. These groups have conducted their own analyses and have told us what they think the true cost of this \$1.75 trillion bill, so-called, that passed the House will be.

For example, the budget experts at the University of Pennsylvania's Wharton School of Business have analyzed this legislation as if these temporary provisions would be made permanent, which, I think, is the safest assumption to make. So, instead of \$1.75 trillion, they have pegged the cost as close to \$4.6 trillion over 10 years—more than 2½ times the amount the Democrats have claimed.

Then there is the Committee for a Responsible Federal Budget that thinks that the number could even be a few hundred billion higher than that. They estimate the true cost of this bill, now claimed to be \$1.75 trillion, to be approximately \$5 trillion. This is a massive, massive jump from what the Democrats have said the cost of this bill will be.

Even one of our colleagues on the other side of the aisle has acknowledged that this is disingenuous—and I would just use the word “false”—advertising. The true cost of this legislation is much closer to Chairman SANDERS' original \$6 trillion request than the so-called scaled-back proposal of the current bill.

Before this legislation comes to the Senate floor, we need to see a true cost estimate based on reasonable assumptions, not a fairy tale scenario. It defies all common sense to vote on a bill without knowing how much it is going to cost ahead of time.

To this end, last week, I sent a letter to the leaders of the Congressional Budget Office and of the Joint Committee on Taxation requesting an updated estimate based on more reason-

able assumptions. If the temporary provisions of this bill are extended—and I fully expect them to be if our Democratic colleagues have the votes to do it—this legislation will cost a whole lot more than what the American people have been told; and we need to know, as close as we can, exactly how much that will be.

Well, it is obvious what is going on here. These not-so-temporary provisions won't expire in a year or 4 years or 10 years. We need to operate under rational assumptions that our Democratic colleagues, when the chance is provided to them, will make these programs permanent and come up with a true and honest score for the bill. If this legislation is all of a sound investment as our Democratic colleagues claim, they shouldn't have anything to be afraid of.

We do have a duty, I believe, as Members of Congress, in voting on legislation of this magnitude, to know what we are doing before we are asked to vote on it. I don't think anybody, really, should have anything to be afraid of, unless they are afraid of a true accounting as opposed to the smoke and mirrors we see so far on this phony, gimmicky bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

RECESS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate stand in recess.

There being no objection, the Senate, at 12:27 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. SINEMA).

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2022—Continued

The PRESIDING OFFICER. The Senator from Arkansas.

HONORING DEPUTY FRANK RAMIREZ, JR.

Mr. BOOZMAN. Madam President, I rise today, along with my friend and colleague from Arkansas Senator COTTON, to honor Independence County Deputy Sheriff Frank Ramirez, Jr.

Deputy Ramirez called Batesville, AR, home and was proud to help protect his community. Sadly, that service was required, and this requirement was making the ultimate sacrifice when he died in the line of duty on Thursday, November 18, in an early morning crash that occurred while he was responding to a call.

He leaves behind a wife and two children, among many other loving family members, as well as his brothers and his sisters in law enforcement who admired him deeply and felt honored to serve alongside him.

Frank Ramirez, Jr., graduated from Batesville High School and was formerly an officer with the Batesville Police Department before joining the